
Changes to legislation: Social Security (Scotland) Act 2018, PART 1 is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 6 EARLY YEARS ASSISTANCE REGULATIONS

PART 1

ELIGIBILITY

CHAPTER 1

ELIGIBILITY IS TO DEPEND ON HAVING, OR EXPECTING TO HAVE, RESPONSIBILITY FOR A CHILD

- 1 (1) The regulations must be framed so that an individual's eligibility depends on the individual satisfying one of the primary eligibility criteria.
- (2) The primary eligibility criteria are that the individual—
 - (a) is, or has been, more than a specified number of weeks pregnant,
 - (b) has a relationship of a specified kind to another individual who is, or has been, more than a specified number of weeks pregnant,
 - (c) is to, or has, become responsible for a child within a specified period of the child's birth,
 - (d) is responsible for a child when a specified event in the child's life occurs or has become responsible for the child within a specified period of the event.
- (3) The regulations are to define what being responsible for a child means for the purpose of determining entitlement to early years assistance.

Commencement Information

I1 Sch. 6 para. 1 in force at 10.12.2018 by [S.S.I. 2018/357](#), [reg. 2](#)

CHAPTER 2

FURTHER CRITERIA

Limit to number of people entitled

- 2 The regulations may provide that an individual is not eligible, despite satisfying one of the primary eligibility criteria, on account of one of those criteria being satisfied in respect of the same child by someone else.

Commencement Information

I2 Sch. 6 para. 2 in force at 10.12.2018 by [S.S.I. 2018/357](#), [reg. 2](#)

Residence and presence

- 3 The regulations may make an individual's eligibility depend on the individual being resident and present in a particular place.

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Commencement Information

I3 Sch. 6 para. 3 in force at 10.12.2018 by [S.S.I. 2018/357](#), **reg. 2**

Financial circumstances

- 4 The regulations may make an individual's eligibility depend on the individual's financial circumstances.

Commencement Information

I4 Sch. 6 para. 4 in force at 10.12.2018 by [S.S.I. 2018/357](#), **reg. 2**

Receipt of, or eligibility for, other types of State assistance

- 5 The regulations may make an individual's eligibility depend on the individual—
- (a) being, or not being, in receipt of another type of assistance (whether under this Act or another enactment),
 - (b) being, or not being, eligible or entitled to receive such assistance.

Commencement Information

I5 Sch. 6 para. 5 in force at 10.12.2018 by [S.S.I. 2018/357](#), **reg. 2**

Application within specified period

- 6 The regulations may provide that an individual ceases to be eligible on account of satisfying a primary eligibility criteria unless, by a deadline specified in the regulations—
- (a) the individual has applied for early years assistance, or
 - (b) the Scottish Ministers have become required to make a determination of the individual's entitlement to early years assistance by regulations under section 52.

Commencement Information

I6 Sch. 6 para. 6 in force at 10.12.2018 by [S.S.I. 2018/357](#), **reg. 2**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 81(4C) inserted by [2021 asp 20 s. 2\(a\)](#)
- s. 85D inserted by [2020 asp 18 s. 2\(6\)](#)